



1753

| AMENDMENT TRANSMITTAL LETTER | | | | Docket No. EGYP 3.0-018 | |
|--|---|---|-----------------------------------|--------------------------------|------|
| Application No. 10/052,931-Conf. #1063 | Filing Date January 18, 2002 | Examiner A. D. Diamond | Art Unit 1753 | | |
| Applicant(s): Georges Nouadje and Frédéric Robert | | | | | |
| Invention: CAPILLARY ELECTROPHORESIS SYSTEMS AND ADDITIVES | | | | | |
| TO THE COMMISSIONER FOR PATENTS | | | | | |
| Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 30 | - 33 = | 0 | x 25.00 | 0.00 |
| Independent Claims | 5 | - 5 = | 0 | x 100.00 | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |
| <input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity | | | | | |
| <input checked="" type="checkbox"/> No additional fee is required for this amendment. | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed. | | | | | |
| <input checked="" type="checkbox"/> Credit any overpayment. | | | | | |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. | | | | | |
| Michael H. Teschner Attorney/Agent Reg. No.: 32,862 | | | | Dated: <u>October 20, 2006</u> | |
| LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6313 | | | | | |
| <small>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</small> | | | | | |
| Dated: October 20, 2006 | | Signature: (Michael H. Teschner) | | | |



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Dated: October 20, 2006

Signature: _____

(Michael H. Teschner)

Docket No.: EGYPT 3.0-018
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nouadje et al.

Application No.: 10/052,931

Group Art Unit: 1753

Filed: January 18, 2002

Examiner: A. D. Diamond

For: CAPILLARY ELECTROPHORESIS
SYSTEMS AND ADDITIVES

AMENDMENT IN RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed September 20, 2006, setting forth a Restriction Requirement in the above-identified application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

I. Claims 1, 2, 4, 5, 7-23, 34 and 35, drawn to a capillary electrophoresis process and method of separating protein constituents.

II. Claims 24, 25 and 27-30, drawn to a solution of a buffer system for capillary electrophoresis.

In response, Applicants hereby elect the invention of Group I, and corresponding to claims 1, 2, 4, 5, 7-23, 34 and 35. However, this election is made with traverse, in view

of the following amendment to the claims. Specifically, Applicants have amended the claims to include new claim 36, which corresponds to the election of Group I since new claim 36 is drawn to a capillary electrophoresis process and method of separating protein constituents. This claim is a "linking" claim. In addition, claim 21 has been amended to correct a spacing error, and claim 24 has been amended to eliminate the "in a liquid support" limitation. No new matter has been added by way of these amendments to the claims.

In view of the foregoing amendment, notwithstanding the different classifications of the claims of Group I and II, the "inventions" in these groups are now technologically related, if nowhere else, through new claim 36, and the respective searches would appear to be substantially coextensive. Therefore, it is respectfully submitted that a search for one "invention" will necessarily involve a search for the other as well. In accordance with the policies outlined in the Manual of Patent Examining Procedure, where possible, a search of all "inventions" should be made together. It is respectfully submitted that doing so in this instance will not be unduly burdensome. Reconsideration of the requirement and examination of all the claims are therefore respectfully requested and considered to be appropriate in this case.

In the event the request to examine all the claims together is not granted, Applicants reserve the right to file a divisional application corresponding to the non-elected claims.